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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,148	08/27/2001	Thomas Huber	577172000400	4598
43997	7590	11/28/2005	EXAMINER	
OPTV/MOFO C/O MORRISON & FOERSTER LLP 1650 TYSONS BOULEVARD, SUITE 300 MCLEAN, VA 22102			SALCE, JASON P	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/941,148

Applicant(s)

HUBER ET AL.

Examiner

Jason P. Salce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-15, 27-34, 44-49, 62 and 64-90 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-15, 27-34, 44-49, 62 and 64-90 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/19/2005 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 10-15, 27-34, 44-49, 62 and 64-90 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10, 12-13, 44 and 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nickum (U.S. Patent No. 6,359,661) in view of Merjanian (U.S. Patent No. 6,028,950).

Referring to claim 10, Nickum discloses a method of controlling displayed video

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segment and data content utilizing a remote control device (Column 1, Lines 55-56 for controlling the display of video segment and the selection of the actual channel data ("channel access")) that interacts with a set-top box (Column 8, Lines 34-46 for the remote control communicating information to a cable control box (set-top box)) to provide enhanced interactive content (see Column 3, Lines 52-58 for interactively selecting a channel using a remote control and the television programming being enhanced using "program identification codes incorporated into the program signals", therefore providing remote control over enhanced interactive content) based upon an identify of a current user of said personal remote control (see Column 4, Line 66 through Column 5, Line 21 for allowing a user to select television programming upon identification of the viewer using the verification functionality).

Nickum also discloses recognizing a current user with an interface in said personal remote control unit (Column 5, Lines 11-18 for inputting an identification code for recognizing a current user with an interface in said personal remote control (the keys used to enter the identification code)).

Nickum also discloses verifying an identification of a current user based upon the recognition of data supplied to the remote control (Column 5, Lines 19-20 for the user verification process identifying the current user based on the recognition data supplied to the remote control (user id entered using the remote control)).

Nickum also discloses communicating the verified identification of the current user to the set-top box (Column 8, Lines 34-46 for the EEPROM 250 circuitry being contained in the set-top box, wherein the remote control communicates with the set-top

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box in order to verify the identification of the viewer, and further note that the disclosure of Nickum states, "the process represented by FIG. 4 can be executed by circuitry incorporated in the remote control devices, the television receiver, or an attached device such as a cable control box" (Column 5, Lines 28-33)).

Nickum also discloses selecting preference and profile data for said current user based on the identification (see Column 7, Lines 12-18 for selecting program control and profile data based on the identification of the viewer).

Nickum also discloses assigning preference and profile data (program control data and profile data) corresponding to the current user to a current user database (EEPROM) within the set-top box (see again Column 7, Lines 12-18 for applying the specified settings in the program control data and profile data).

Nickum also discloses controlling output of the set-top box by controlling video content based on the preference and profile data within said current user database (see Column 5, Line 60 through Column 6, Line 19 and Column 6, Lines 58-67 for modifying preference (program control) and profile data associated with the viewer, which in turn controls the output of the video content produced by the set-top box).

Nickum fails to disclose that the remote control device uses biometric identification in order to identify a viewer.

Merjanian discloses a set-top box and remote control, where the remote control contains a fingerprint or other biometric identification means for identifying a viewer and transmitting the identification data to the set top box (see Column 11, Line 23 through Column 12, Line 4 and Column 12, Lines 51-54).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the remote control, as taught by Nickum, using the biometric identification means, as taught by Merjanian, for the purpose of provide access to channels for which access is normally restricted, for example, so that children or house guests whose fingerprint data are unknown to the system cannot order pay-per-view events or other services without the assistance of an authorized person (see Column 3, Lines 42-46 of Merjanian).

Claim 12 corresponds to claim 10, where Merjanian further discloses generating a combined identification and command sequence for transmission to said set top box (see Column 11, Lines 26-30 for generating a PIN, which is a combined identification code (for identifying the user) and command sequence (for using the PIN at the set-top box to command the set-top box to verify the user)).

Claim 13 corresponds to claim 10, where Merjanian further discloses that said biometric identification is based on an intellectual attribute of said current user (see Column 11, Lines 59-67 for the biometric identification being used to provide the user's favorite channels, therefore the identification process is based on whether the user will receive his/her favorite program channels, which is an intellectual attribute of a user).

Referring to claim 44, see the rejection of claim 10 and further note that Nickum discloses the personalized remote control (see element 200(a) in Figure 1), set-top box (see Column 8, Line 36) and the link between the two devices (see Column 8, Lines 34-46 for placing the EEPROM 250 in the cable control box, thereby requiring the personalized remote control to communicate with the set-top box in order to establish,

identify and verify the user's identification).

Referring to claim 46, see the rejection of claim 12.

Referring to claim 47, see the rejection of claim 13.

4. Claims 14 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nickum (U.S. Patent No. 6,359,661) in view of Merjanian (U.S. Patent No. 6,028,950) in further view of Rothmuller et al. (U.S. Patent No. 5,635,989).

Referring to claim 14, Nickum and Merjanian disclose all of the limitations in claim 10, as well as Nickum disclosing storing a viewer's profile-data (see Column 6, Lines 58-60), but fails to teach empirically deriving said profile data from the usage patterns of said remote control device by said current user.

Rothmuller discloses empirically deriving profile data from the usage patterns of a remote control device (program selections made) by a current user (see Column 5, Line 59 through Column 6, Line 39 and Figure 4).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the user and program identification system, as taught by Nickum and Merjanian, using the profile deriving method, as taught by Rothmuller for the purpose of allowing a user to readily determine and identify when a desired program will be broadcast without the need for performing an extensive search of the entire channel guide for current and future events (see Column 2, Lines 47-51 of Rothmuller).

Referring to claim 48, see the rejection of claim 14.

5. Claims 11, 15, 45 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nickum (U.S. Patent No. 6,359,661) in view of Merjanian (U.S. Patent No. 6,028,950) in further view of Block et al. (U.S. Patent No. 6,675,384).

Referring to claim 11, Nickum and Merjanian disclose all of the limitations in claim 10, as well as Nickum teaching that program identification codes can be incorporated into the video content (see Column 3, Lines 56-58), but fails to disclose controlling display of said video segment being based on comparing one or more tags placed in said video segment that indicate content of said video segment to said preference and profile data within said current user database.

Block discloses controlling display of a video segment based on comparing one or more tags placed in said video segment (TIL at Column 15, Lines 27-36) that indicate content of said video segment (see Column 5, Lines 42-67) to said preference and profile data (see Column 12, Line 44 through Column 13, Line 22) within said current user database (LIL at Column 15, Lines 27-36).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the user and program identification system, as taught by Nickum and Merjanian, using the tags placed in the video content that are compared to preference and profile data in order to control the display of the video content, as taught by Block, for the purpose of allowing a user to make informed choices, allowing producers and distributors to gain having a greater opportunity to provide what customers want, and allowing society to gain maintaining freedom of choice and supporting informed decisions (see Column 2, Lines 45-49 of Block).



Referring to claim 15, Nickum and Merjanian disclose all of the limitations in claim 10, as well as Nickum teaching that program identification codes can be incorporated into the video content (see Column 3, Lines 56-58), but fails to disclose that this process takes place prior to being input into said set top box.

Block discloses a program labeling station 30 in central station 10 of Figure 1, which pretags video content to indicate content of the video stream before it is modulated and transmitted to the viewer's set top box (see Column 3, Line 55 through Column 4, Line 4).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the incoming video signal with program identification code, as taught by Nickum and Merjanian, using the program labeling station 30 for inserting the program identification codes into the video signal prior to transmission, as taught by Block, for the purpose of allowing a user to make informed choices, allowing producers and distributors to gain having a greater opportunity to provide what customers want, and allowing society to gain maintaining freedom of choice and supporting informed decisions (see Column 2, Lines 45-49 of Block).

Referring to claim 45, see the rejection of claim 14 and note the rejection of claim 44 for Nickum teaching a set-top box.

Referring to claim 49, see the rejection of claim 15.

6. Claims 88-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nickum (U.S. Patent No. 6,359,661) in view of Merjanian (U.S. Patent No. 6,028,950) in

further view of Sumita et al. (U.S. Patent No. 6,581,207).

Referring to claim 88, Nickum and Merjanian disclose all of the limitations in claim 10, but fail to teach that the biometric identification comprises voice recognition.

Sumita discloses an information-filtering unit 2 in Figure 1, which contains a content analyzing section 14 in Figure 12 that contains EPG processing section 142 and video/sound processing section 143 in Figure 3 (also note Column 5, Lines 31-49). Sumita further teaches that the video/sound processing section 143 comprises voice recognition (see Column 7, Lines 5-12).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the tag insertion process, as taught by Nickum and Merjanian, using the video recognition technique, as taught by Sumita, for the purpose of allowing users to make use of content-based processing with no need of paying the computation-related cost (see Column 1, Lines 56-58).

Referring to claim 89, see the rejection of claim 88.

7. Claim 90 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nickum (U.S. Patent No. 6,359,661) in view of Merjanian (U.S. Patent No. 6,028,950) in further view of Block et al. (U.S. Patent No. 6,675,384) in further view of Menard et al. (U.S. Patent No. 6,061,056).

Referring to claim 90, Nickum, Merjanian and Block disclose the limitations of claim 11, but fail to teach the limitations of claim 90.

Menard discloses storing video segments on video storage devices 20 in Figures

1 and 2 and Column 5, Lines 7-8.

Menand also discloses generating a video pointer table comprising an address at which the video segment is located in the video storage device (see Column 5, Lines 8-10 and Column 6, Lines 44-46 for using synchronizing tags that index the video and audio clips, therefore creating a video pointer table comprising an address (tags) at which the video located in the video storage device).

Menand also discloses storing in the video pointer table the results of the comparison of the one or more tags and the preference and profile data (see Column 6, Lines 44-46 for indexing the video, audio and closed caption data in the storage device and when a user provides a query in order to find a video clip (see Column 6, Lines 47-51), the query data is compared with the indexed information in the storage device, therefore the video point table (index of video, audio and closed captioning) stores the results of the comparison when a query is performed by the user), wherein the display of the video segment is based on the results of the comparison (see again Column 6, Lines 47-51)).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the personalized video system, as taught by Nickum, Merjanian and Block, using the video pointer table storage and query system, as taught by Menard, for the purpose of detecting content of particular interest to individual viewers (see Column 1, Line 9 of Menard).

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8. Claims 27-29, 31, 62, 64-65, 67, 71-73, 75, 79-82 and 84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nickum (U.S. Patent No. 6,359,661) in view of Merjanian (U.S. Patent No. 6,028,950) in further view of Block et al. (U.S. Patent No. 6,675,384).

Referring to claim 27, Nickum discloses a method of controlling displayed video segment and data content utilizing a remote control device (Column 1, Lines 55-56 for controlling the display of video segment and the selection of the actual channel data ("channel access")) that interacts with a set-top box (Column 8, Lines 34-46 for the remote control communicating information to a cable control box (set-top box)) to provide enhanced interactive content (see Column 3, Lines 52-58 for interactively selecting a channel using a remote control and the television programming being enhanced using "program identification codes incorporated into the program signals", therefore providing remote control over enhanced interactive content) based upon an identify of a current user of said personal remote control (see Column 4, Line 66 through Column 5, Line 21 for allowing a user to select television programming upon identification of the viewer using the verification functionality).

Nickum also discloses recognizing a current user with an interface in said personal remote control unit (Column 5, Lines 11-18 for inputting an identification code for recognizing a current user with an interface in said personal remote control (the keys used to enter the identification code)).

Nickum also discloses verifying an identification of a current user based upon the recognition of data supplied to the remote control (Column 5, Lines 19-20 for the user

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verification process identifying the current user based on the recognition data supplied to the remote control (user id entered using the remote control)).

Nickum also discloses communicating the verified identification of the current user to the set-top box (Column 8, Lines 34-46 for the EEPROM 250 circuitry being contained in the set-top box, wherein the remote control communicates with the set-top box in order to verify the identification of the viewer, and further note that the disclosure of Nickum states, "the process represented by FIG. 4 can be executed by circuitry incorporated in the remote control devices, the television receiver, or an attached device such as a cable control box" (Column 5, Lines 28-33)).

Nickum also discloses selecting preference and profile data for said current user based on the identification (see Column 7, Lines 12-18 for selecting program control and profile data based on the identification of the viewer).

Nickum also discloses assigning preference and profile data (program control data and profile data) corresponding to the current user to a current user database (EEPROM) within the set-top box (see again Column 7, Lines 12-18 for applying the specified settings in the program control data and profile data).

Nickum also discloses controlling output of the set-top box by controlling video content based on the preference and profile data within said current user database (see Column 5, Line 60 through Column 6, Line 19 and Column 6, Lines 58-67 for modifying preference (program control) and profile data associated with the viewer, which in turn controls the output of the video content produced by the set-top box).

Nickum fails to disclose that the remote control device uses biometric

identification in order to identify a viewer.

Merjanian discloses a set-top box and remote control, where the remote control contains a fingerprint or other biometric identification means for identifying a viewer and transmitting the identification data to the set top box (see Column 11, Line 23 through Column 12, Line 4 and Column 12, Lines 51-54).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the remote control, as taught by Nickum, using the biometric identification means, as taught by Merjanian, for the purpose of provide access to channels for which access is normally restricted, for example, so that children or house guests whose fingerprint data are unknown to the system cannot order pay-per-view events or other services without the assistance of an authorized person (see Column 3, Lines 42-46 of Merjanian).

Nickum further teaches that program identification codes can be incorporated into the video content (see Column 3, Lines 56-58), but fails to disclose controlling display of said video segment being based on comparing one or more tags placed in said video segment that indicate content of said video segment to said preference and profile data within said current user database.

Block discloses controlling display of a video segment based on comparing one or more tags placed in said video segment (TIL at Column 15, Lines 27-36) that indicate content of said video segment (see Column 5, Lines 42-67) to said preference and profile data (see Column 12, Line 44 through Column 13, Line 22) within said current user database (LIL at Column 15, Lines 27-36), wherein the tags are descriptive of the

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video segment (see Column 5, Lines 42-67).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the user and program identification system, as taught by Nickum and Merjanian, using the tags placed in the video content that are compared to preference and profile data in order to control the display of the video content, as taught by Block, for the purpose of allowing a user to make informed choices, allowing producers and distributors to gain having a greater opportunity to provide what customers want, and allowing society to gain maintaining freedom of choice and supporting informed decisions (see Column 2, Lines 45-49 of Block).

Claim 28 corresponds to claim 27, where Merjanian further discloses generating a combined identification and command sequence for transmission to said set top box (see Column 11, Lines 26-30 for generating a PIN, which is a combined identification code (for identifying the user) and command sequence (for using the PIN at the set-top box to command the set-top box to verify the user)).

Claim 29 corresponds to claim 27, where Merjanian further discloses that said biometric identification is based on an intellectual attribute of said current user (see Column 11, Lines 59-67 for the biometric identification being used to provide the user's favorite channels, therefore the identification process is based on whether the user will receive his/her favorite program channels, which is an intellectual attribute of a user).

Claim 31 corresponds to claim 27, where Block further discloses a program labeling station 30 in central station 10 of Figure 1, which pretags video content to indicate content of the video stream before it is modulated and transmitted to the

viewer's set top box (see Column 3, Line 55 through Column 4, Line 4).

Referring to claim 62, 64-65 and 67, see the rejection of claims 27-29 and 31, respectively. Further note that Nickum discloses the personalized remote control (see element 200(a) in Figure 1), set-top box (see Column 8, Line 36) and the link between the two devices (see Column 8, Lines 34-46 for placing the EEPROM 250 in the cable control box, thereby requiring the personalized remote control to communicate with the set-top box in order to establish, identify and verify the user's identification).

Referring to claims 71-73 and 75, see the rejection of claims 27-29 and 31, respectively. Further note that Nickum discloses the personalized remote control (see element 200(a) in Figure 1), set-top box (see Column 8, Line 36) and the link between the two devices (see Column 8, Lines 34-46 for placing the EEPROM 250 in the cable control box, thereby requiring the personalized remote control to communicate with the set-top box in order to establish, identify and verify the user's identification). Also note that Block teaches that video content is processed in video segments on a segment-by-segment basis (see Column 22, Lines 62-67 for substituting video segments into the original video presentation).

Referring to claims 79, 81-82 and 84, see the rejection of claims 71-73 and 75, respectively.

Referring to claim 80, see the rejection of claim 71.

9. Claims 30, 66, 74 and 83 are rejected under 35 U.S.C. 103(a) as being



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unpatentable over Nickum (U.S. Patent No. 6,359,661) in view of Merjanian (U.S. Patent No. 6,028,950) in further view of Block et al. (U.S. Patent No. 6,675,384) in further view of Rothmuller et al. (U.S. Patent No. 5,635,989).

Referring to claim 30, Nickum, Merjanian and Block disclose all of the limitations in claim 10, as well as Nickum disclosing storing a viewer's profile-data (see Column 6, Lines 58-60), but fails to teach empirically deriving said profile data from the usage patterns of said remote control device by said current user.

Rothmuller discloses empirically deriving profile data from the usage patterns of a remote control device (program selections made) by a current user (see Column 5, Line 59 through Column 6, Line 39 and Figure 4).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the user and program identification system, as taught by Nickum, Merjanian and Block, using the profile deriving method, as taught by Rothmuller for the purpose of allowing a user to readily determine and identify when a desired program will be broadcast without the need for performing an extensive search of the entire channel guide for current and future events (see Column 2, Lines 47-51 of Rothmuller).

Referring to claims 66, 74 and 83, see the rejection of claim 30.

10. Claims 32-34, 68-70, 76-78 and 85-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nickum (U.S. Patent No. 6,359,661) in view of Merjanian (U.S. Patent No. 6,028,950) in further view of Block et al. (U.S. Patent No. 6,675,384) in

further view of Sumita et al. (U.S. Patent No. 6,581,207).

Referring to claims 32-34, Nickum, Merjanian and Block disclose all of the limitations in claim 27, but fail to teach that the tags are created in real time by video recognition techniques utilizing keywords, key images and key sounds.

Sumita discloses an information-filtering unit 2 in Figure 1, which contains a content analyzing section 14 in Figure 12 that contains EPG processing section 142 and video/sound processing section 143 in Figure 3 (also note Column 5, Lines 31-49). Sumita teaches that the EPG processing section 142 extracts keywords from words extracted by the morphemic analysis (see Column 6, Lines 34-36), therefore teaching a video recognition technique (searching EPG information of the video programs) utilizing keywords. Sumita further teaches that the video recognition techniques include utilizing key images (see Column 6, Line 65 through Column 7, Line 4) and utilizing key sounds (see Column 7, Lines 5-12).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the tag insertion process, as taught by Nickum, Merjanian and Block, using the video recognition techniques, as taught by Sumita, for the purpose of allowing users to make use of content-based processing with no need of paying the computation-related cost (see Column 1, Lines 56-58).

Referring to claim 68-70, see the rejection of claims 32-34, respectively.

Referring to claim 76-78, see the rejection of claims 32-34, respectively.

Referring to claims 85-87, see the rejection of claims 32-34, respectively.

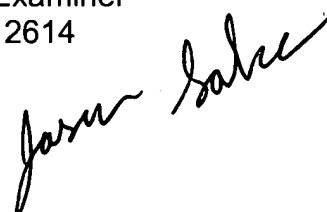
**Conclusion**

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (571) 272-7301. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason P Salce  
Patent Examiner  
Art Unit 2614

A handwritten signature in black ink, appearing to read "Jason Salce", is written over the typed name and title.

November 22, 2005